

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division**

In Re: Ronald L Duvall, Jr. and Jonette M Duvall Case No. 13-27199-JFS
Chapter 7

PNC Bank, National Association, Movant
vs.

Ronald L Duvall, Jr.
and Jonette M Duvall, Debtors
George W. Liebmann, Esq., Trustee
Respondent(s)

**MOTION FOR RELIEF FROM AUTOMATIC STAY
Real Property at 6884 Bugledrum Way, Columbia, Maryland 21045**

Comes now PNC Bank, National Association, Movant herein, by Michael T. Cantrell, Esq., its attorney and respectfully represents:

1. This Motion is filed pursuant to 11 U.S.C. Sec. 362 d through f, and 28 U.S.C. Section 1334 and Section 157, giving this Court jurisdiction to grant relief from the Automatic Stay for cause and/or to prevent irreparable damage to the interest of a secured creditor in the property of the Debtors.

2. The current amount due to the Movant is approximately \$194,425.95, which includes: a principal balance in the amount of \$188,897.90; interest in the amount of \$3,080.90 through November 5, 2013; bankruptcy fees and costs in the amount of \$726.00; accumulated late charges in the amount of \$1,093.48; an escrow deficit in the amount of \$517.67; and Other (total fees) in the amount of \$110.00. Additionally, pursuant to the Debtor(s) schedules, the property is encumbered by two liens securing M&T Bank in the amount of \$49,919.00 and in the amount of \$44,032.00.

3. The Debtors have failed to pay the payment(s) for the months of September 2013 to November 2013, so that the arrears are \$7,424.52, which include: payment(s) in the amount(s) of \$1,820.78 for the months of September 2013 through September 2013 per month and \$1,837.13 for the months of October 2013 through November 2013 per month, current bankruptcy fees and costs in the amount of \$726.00; accumulated late charges in the amount of \$1,093.48; total fees in the amount of \$110.00. The current monthly payment is \$1,837.13.

4. The Movant is inadequately protected by the Debtor(s) failure to make the payments which may include an escrow for taxes and insurance.

5. In his/her Schedules, the Debtor(s) list(s) a current market value of \$294,386.00 for the real property. After the costs of sale, there is little to no equity in the real property above the real property and the secured debt has no value to the bankruptcy estate.

6. Therefore, cause exists to grant relief from stay. Movant lacks adequate protection and continues to be irreparably harmed by the continuation of the Stay of 11 U.S.C. Sections 362(a) and 1301, if applicable.

NOTICE OF INTENT TO SUBMIT BUSINESS RECORDS

Creditor will submit business records as evidence at any scheduled hearing, as allowed under Fed. R. Bankr. P. 9017 and FRE 902(11). These business records are available for inspection by the adverse party upon demand.

7. The Movant is the holder of a Note secured by a Deed of Trust dated October 26, 2005, and recorded among the land records of Howard County, Maryland, and which encumbers the property of the Debtors at 6884 Bugledrum Way, Columbia, Maryland 21045.

WHEREFORE, the Movant prays this Honorable Court to issue an Order

1. Lifting the Automatic Stay as to the Debtor's property at 6884 Bugledrum Way, Columbia, Maryland 21045, so that the Movant can proceed with the foreclosure of its Deed of Trust; or alternatively

2. For such other and further relief as the Court deems appropriate.

/s/ Michael T. Cantrell, Esq. (kmg)
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed, first class, postage prepaid, on November 18, 2013, to Ronald L Duvall, Jr. at 4387 Montgomery Road, Ellicott City, Maryland 21043 and Jonette M Duvall at 6884 Bugledrum Way, Columbia, Maryland 21045. Copies were sent electronically via the CM/ECF system to Charles J. Broida, Attorney for Debtors and George W. Liebmann, Esq., Trustee.

/s/Michael T. Cantrell, Esq.